

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM NEWMAN, et al. : CIVIL ACTION
:
v. :
:
:
CITY OF PHILADELPHIA, et al. : NO. 02-3770

ORDER

AND NOW, this 29th day of July, 2002, it appearing
that:

A. Defendant City of Philadelphia filed a Motion to Enlarge the Time Period in Which to respond to the Complaint [#4] until Sunday, August 18, 2002.

B. Defendant City of Philadelphia granted plaintiffs' Request for Waiver of Service of Summons [#5], which was sent on June 18, 2002.

C. Under Fed. R. Civ. P. 4(d)(3), a defendant located in the United States who "timely returns a waiver so requested is not required to serve an answer to the complaint until 60 days after the date on which the request for waiver of service was sent."

D. Accordingly, under Fed. R. Civ. P. 4(d)(3), defendant City of Philadelphia need not respond to plaintiffs' complaint until August 19, 2002 (the first business day following 60 days after June 18, 2002).

It is hereby **ORDERED** that Defendant City of Philadelphia's Motion to Enlarge the Time Period in Which to respond to the Complaint [#4] until August 18, 2002, is **DENIED AS MOOT**.

S.J.